

**EQUALITY OF VOTES:
THE CASE OF REPUBLIC OF MACEDONIA
(Slide 1)**

(Slide 2) The Constitution of the Republic of Macedonia stipulates that citizens of the Republic of Macedonia are equal in their freedoms and rights, irrespective of sex, race, color of skin, national and social origin, political and religious beliefs, property and social status. **(Slide 3)** Every citizen on reaching 18 years of age acquires the right to vote.

The right to vote is equal, universal and direct and is exercised at free elections by secret ballots. The only persons who do not have the right to vote are those deprived of their legal capacity.

However, the principle of equality is reflected, above all, in the adequate and equal representation of citizens with voting power in the houses of parliament, in Macedonia's case, the Assembly of the Republic of Macedonia. This requires careful approach when delimiting the boundaries of constituencies, and during the selection and implementation of an adequate electoral system which will grant equal voting rights.

Since gaining its independence until today, the Republic of Macedonia has been faced several times with the challenge of finding an adequate model to fully respect equality in voting. The democratic experience and social changes and developments have also imposed changes in the electoral system, without harming the equality in voting.

1.

(Slide 4) Historically speaking, this began in 1990 (nineteen ninety), with the delimitation of first constituencies under the Law on Electoral Districts for Election of Members of Parliaments of that time. This law provided for the election of 120 (hundred and twenty) representatives, and the formation of equal number of electoral districts (120). One member of the Assembly was elected in each constituency. **(Slide 5)** Furthermore, the law included provisions for the number of representatives to be elected in each of the 34 (thirty four) municipalities in the Republic of Macedonia which existed at that time, for example:

- Municipality of Berovo – 1 representative

- Municipality of Bitola – 9 representatives
- Municipality of Kumanovo – 8 representatives
- Municipality of Kochani – 3 representatives
- Municipality of Centar – 5 representatives, etc.

The territories of those municipalities where more than 1 representative was elected were further divided into electoral districts according to the number of voters. The law did not include provisions for the deviation threshold in relation to the number of voters from one electoral district to another.

The candidate who won the majority of votes by voters who have cast their vote in the respective electoral district was considered to be elected, provided that the number of votes he has won was not less than one-third of the total number of registered voters in that electoral district. If these conditions were not met, elections continued to a second round under the 'first-past-the-post' system.

2.

(Slide 6) Wanting to ensure as high level of adequate representation of all voters in Parliament as possible, a new Law on Electoral Districts was adopted in 1998, including the promotion of a new, combined electoral system.

The territory of the Republic of Macedonia was divided into 85 (eighty five) electoral districts and one representative was elected in each of the constituencies. For that purpose, the electorate voted for a candidate.

(Slide 7) Beside a candidate, the electorate also voted for lists of candidates and based on their votes, the State Election Commission determined the allocation of the remaining 35 (thirty five) seats according to the proportional representation model (D'Hondt formula). In this case the entire territory of the Republic of Macedonia was regarded as a single constituency.

Once again the law did not include provisions for the permitted deviation threshold in relation to the number of voters from one constituency to another. **(Slide 8)** Consequently very high deviations were noticed, such as:

- in ED 37 (thirty seven), with 47 (forty seven) polling stations, the number of registered voters was 20.194 (twenty thousand hundred and ninety four);

- in ED 3, with 41 (forty one) polling stations, the number of registered voters was 18.538 (eighteen thousand five hundred thirty eight);
- in ED 46 (forty six), with 31 (thirty one) polling stations, the number of registered voters was 17.297 (seventeen thousand two hundred and ninety seven);
- in ED 44 (forty four), with 26 (twenty six) polling stations, the number of registered voters was 16.693 (sixteen thousand six hundred and ninety three).

It is clear that the deviation varied from +11% (plus eleven percent), through +1.96% (plus one point ninety six percent), all the way to -8.17% (minus eight point seventeen percent) of registered voters.

This system was abandoned in 2002, after the adoption of a new Law on Electoral Districts.

3.

(Slide 9) This law provided for the election of 120 representatives in 6 electoral districts on the territory of the Republic of Macedonia – 20 representatives in each electoral district. The D'Hondt method was used for the allocation of seats. Since its introduction in 2002, the proportional representation model was used for election of Members of Parliament of the Republic of Macedonia at the 2002 and 2006 parliamentary elections, as well as at the early parliamentary elections in 2008, 2011 and 2014.

(Slide 10) For the first time, this law stipulated that the number of voters in the electoral districts may deviate from – 3% to + 3% in relation to the average number of voters in the electoral district.

(Slide 11) Consequently, the number of registered voters in the electoral districts was the following, as you can see it on the presentation:

- ED 1 – 279.593 voters
- ED 2 – 279.717 voters
- ED 3 – 277.236 voters
- ED 4 – 277.126 voters
- ED 5 – 272.842 voters
- ED 6 – 277.782 voters.

(Here you make a pause so that the audience can see the figures)

In order to win a seat, the submitter of a list of candidates for the 2002 Parliamentary Elections had to acquire certain number of votes, and the figures are also visible on the presentation:

- at least **7667** votes in ED 1,
- at least **7468** votes in ED 2,
- at least **8377** votes in ED 3, *(Here you make a pause so that*
- at least **8981** votes in ED 4, *the audience can see the*
- at least **7881** votes in ED 5 and *figures)*
- at least **7818** votes in ED 6.

The proportionate distribution of voters across electoral districts is clearly visible here, which was aimed at ensuring adequate representation in Parliament, and above all, equality in voting for the entire electorate in the Republic of Macedonia.

4.

(Slide 12) The election legislation was codified in 2006 in a single Electoral Code, which once again re-affirmed equality in voting. The territory of the Republic of Macedonia remained divided into 6 electoral districts with 20 representatives being elected in each, but in accordance with the Election Code, the number of voters in the electoral districts may deviate from – 5% to +5% at the most in relation to the average number of voters in the electoral district.

In 2006, in order to win a seat, the submitter of a list of candidates had to acquire at least **4.19%** (four point nineteen percent) of votes by voters who have cast their vote (in ED 5), up to at least **6.31%** (six point thirty one percent) of votes in ED 3.

(Slide 13) A similar trend continued in 2008, when the electoral districts registered number of voters as presented on the slide:

- ED 1 – 275.917 voters
- ED 2 – 303.120 voters *(Here you make a pause so that*
- ED 3 – 288.585 voters *the audience can see the*
- ED 4 – 289.664 voters *figures)*
- ED 5 – 290.101 voters
- ED 6 – 311.729 voters.

In 2008 the actual deviation varied from -1.56% (minus one point fifty six) in ED 3, to +6.32% (plus six point thirty two) in ED 6. This surpassed the legal frame of +1.32% (plus one point thirty two percent), however not only the number of voters, but others factors such as: administrative boundaries, representation of ethnic communities, compactness, access to polling stations etc., must be taken into account when drawing districts as in the case of delineating constituencies in Macedonia.

(Slide 14) In 2011 we had the following statistics:

- ED 1 – 302.864 voters
- ED 2 – 312.720 voters
- ED 3 – 291.140 voters
- ED 4 – 292.596 voters
- ED 5 – 303.686 voters
- ED 6 – 318.116 voters.

(Here you make a pause so that the audience can see the figures)

It is clear that the number of voters in all 6 electoral districts has increased, and the deviation, which in 2011 varied from -4.07% (minus four point zero seven percent) in ED 3, up to +4.8% (plus four point eight percent) in ED 6, falls within legally determined criteria.

(Slide 15) The last parliamentary elections in 2014 had the following statistics:

- ED 1 – 297.686 voters
- ED 2 – 306.067 voters
- ED 3 – 280.890 voters
- ED 4 – 280.810 voters
- ED 5 – 286.435 voters
- ED 6 – 304.458 voters.

(Here you make a pause so that the audience can see the figures)

The deviation, which in 2014 varied from -4.07% (minus four point zero seven percent) in ED 4 and up to +4.55% (plus four point fifty five percent) in ED 2, fell within the legally prescribed criteria. **(Slide 16)** With this established trend, the Republic of Macedonia continually aims to not only establish, but also maintain respect for the equality in voting principle.

(Slide 17) The power of the voter when realizing his/her participation in the decision-making process in every democratic state lies in the equality in voting principle. As one of the basic and most important political rights of any person and citizen, everyone should be able to exercise it equally. That is why we should not be surprised by the changes the Republic of Macedonia has made in the electoral system during its relatively short history; on the contrary – these should provide additional motive and incentive for every democratic country to be constantly on the search for an electoral system which will offer the best possible protection of this key principle.